

AMENDED IN ASSEMBLY MARCH 29, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 2246

Introduced by Assembly Member John A. Pérez

February 24, 2012

An act to amend Section 104661 of the Health and Safety Code, relating to ~~taxation~~ public health.

LEGISLATIVE COUNSEL'S DIGEST

AB 2246, as amended, John A. Pérez. ~~Sales and use taxes: exemption: income taxes: credit: healthy retail food establishments. Public health: food access.~~

Existing law establishes, until July 1, 2017, the California Healthy Food Financing Initiative to expand access to nutritious foods in underserved, urban, and rural communities. Existing law establishes the California Healthy Food Financing Initiative Council and requires the council to implement the initiative. Existing law requires the council, among other things, to develop financing options using public or private moneys and resources to support access to healthy foods.

This bill would require the council, by March 31, 2013, to establish and maintain an Internet Web site with prescribed information, including information on actions that the council has taken and funding sources that are available to support access to healthy foods.

~~Existing sales and use tax laws authorize various exemptions from the taxes imposed pursuant to those laws, and the Personal Income Tax Law and the Corporation Tax Law allows various credits against the taxes imposed by those laws.~~

~~This bill would state the intent of the Legislature to enact legislation that provides tax incentives, as described above, to retail food~~

~~establishments that expand, improve, or open in areas that have limited access to retail food establishments that offer healthy food options in order to provide those areas with access to affordable, quality, and healthy food.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 104661 of the Health and Safety Code is
2 amended to read:
3 104661. (a) There is hereby created the California Healthy
4 Food Financing Initiative Council, within the office of the
5 Treasurer which shall consist of the following members:
6 (1) The Treasurer or his or her designee.
7 (2) The Secretary of Food and Agriculture or his or her designee.
8 (3) The Secretary of California Health and Human Services or
9 his or her designee.
10 (4) The Secretary of Labor and Workforce Development or his
11 or her designee.
12 (b) The council shall implement the California Healthy Food
13 Financing Initiative (CHFFI) and shall be chaired by the Treasurer
14 or his or her designee. This initiative is intended to expand access
15 to nutritious foods in underserved, urban, and rural communities
16 and to eliminate food deserts in California.
17 (c) The council shall have all of the following duties:
18 (1) Developing financing options using public or private moneys
19 and resources, to support access to healthy foods for all
20 Californians.
21 (2) Developing program parameters, including, but not limited
22 to, all of the following:
23 (A) Defining eligible entities for participation.
24 (B) Developing minimum eligibility thresholds for participation.
25 (C) Establishing minimum and maximum levels of financial
26 assistance.
27 (3) Partnering with federal, state, or local government agencies,
28 nonprofit organizations, and philanthropic programs to further the
29 purposes of the initiative.
30 (4) Reviewing recommendations of the advisory group,
31 established pursuant to Section 104662.

1 (5) Providing updates to the Legislature as requested.

2 (d) The council shall adopt all rules and regulations necessary
3 to implement the initiative.

4 (e) *The council shall establish, by March 31, 2013, and maintain*
5 *an Internet Web site. The Internet Web site shall include, but not*
6 *be limited to, the following information:*

7 (1) *Actions taken by the council.*

8 (2) *Funding sources that are available to support access to*
9 *healthy foods, including loans and grants from public, private, or*
10 *philanthropic sources, and how to obtain these sources of funding.*

11 (3) *Interagency activities among the office of the Treasurer, the*
12 *Department of Food and Agriculture, the California Health and*
13 *Human Services Agency, and the Labor and Workforce Department*
14 *Agency that focus on benefiting underserved communities and*
15 *increasing access to healthy foods.*

16 (4) *Resources and links to other Internet Web sites with*
17 *information on food deserts and increasing access to healthy foods.*

18 ~~SECTION 1. It is the intent of the Legislature to enact~~
19 ~~legislation that would provide tax incentives in the form of sales~~
20 ~~and use tax exemptions and income tax credits for retail food~~
21 ~~establishments that expand, improve, or open in areas that have~~
22 ~~limited access to retail food establishments that offer healthy food~~
23 ~~options in order to provide those areas with access to affordable,~~
24 ~~quality, and healthy food.~~